

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Newport News Division**

APRIL DARRIN, *et al.*, on behalf of herself  
and all others similarly situated,

Plaintiffs,

v.

HUNTINGTON INGALLS INDUSTRIES,

Defendant.

Case No. 4:23-cv-00053-JKW-DEM

CLASS ACTION

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL AND TO  
DIRECT NOTICE OF PROPOSED SETTLEMENT TO THE CLASS**

Plaintiffs move for entry of an order directing notice of the proposed class action settlement and scheduling a hearing to consider final approval of the settlement. Plaintiffs are simultaneously filing a supporting memorandum of law and the Declaration of Gary E. Mason, which includes, at Exhibit 1, the Settlement Agreement and all referenced exhibits. Plaintiffs ask that the Court enter an order: (1) certifying, for settlement purposes, the Settlement Class, pursuant to Fed. R. Civ. P. 23; (2) granting Preliminary Approval of the Settlement; (3) approving the Notice Program set forth in the Settlement Agreement and the form and content of the Notices and Claim Form attached as Exhibits A, B, and C to the Settlement Agreement; (4) approving and ordering the opt-out and objection procedures set forth in the Settlement; (5) appointing Plaintiffs as Settlement Class Representatives; (6) appointing Gary Mason of Mason LLP, Scott Edward Cole of Cole & Van Note, and Raina Borrelli of Turke & Strauss LLP as Settlement Class Counsel; (7) staying all proceedings in this litigation unrelated to the Settlement, pending Final Approval; and (8) scheduling a Final Approval Hearing at a date convenient for the Court but no earlier than (i) 100 days after Defendant notifies the appropriate government officials pursuant to the Class Action

Fairness Act, 28 U.S.C. § 1715(d), or (ii) 60 days after the Claims Deadline, whichever is later.

For the reasons set forth in that Memorandum, Plaintiffs respectfully request that the Court enter the Proposed Preliminary Approval Order attached as Exhibit D to the Settlement Agreement. For ease of reference, the capitalized terms in this Motion and the accompanying Memorandum have the meaning set forth in the Settlement Agreement.

Dated: February 9, 2024

Respectfully submitted,

/s/David Hilton Wise

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*Counsel for Plaintiffs and the Putative Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 9, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/David Hilton Wise

David Hilton Wise, VA Bar No. 30828

**WISE LAW FIRM PLC**